

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

David J. Smith
Clerk of Court

For rules and forms visit
www.ca11.uscourts.gov

April 11, 2024

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Appeal Number: 24-11069-B
Case Style: Davita Key v. Dynamic Security, Inc.
District Court Docket No: 2:19-cv-00767-ECM-SMD

CIVIL DOCKETING NOTICE

The above-referenced appeal has been docketed in this Court. All documents filed in this appeal must include the Case Style and Appeal Number shown above.

Appellant Requirements

Unless the following requirements have already been satisfied, **within 14 days of the date of this notice the appellant MUST:**

1. Pay to the **District Court** the Filing Fee **OR** File a Motion to Proceed In Forma Pauperis (IFP) in the district court. See FRAP 3(e), FRAP 24.

If the filing fee is not paid and a motion to proceed IFP has not been filed in the district court within 14 days of the date of this notice, this appeal will be dismissed without further notice pursuant to 11th Cir. R. 42-1(b).

If the district court has denied the appellant IFP status on appeal, the appellant has 30 days from the date of the district court's order to file an IFP motion in this Court. See FRAP 24(a)(5).

2. File in this Court **AND** in the district court a [Transcript Order Form](#) **OR** file a certificate in this Court stating no transcripts will be ordered. See FRAP 10(b)(1), 11th Cir. R. 10-1. (Not applicable in certain bankruptcy appeals. See FRAP 6(b)).

*If no transcripts are ordered, appellant's brief is due 40 days after **04/08/2024**, except as otherwise provided by the rules. See 11th Cir. Rules 12-1 and 31-1.*

3. File a Certificate of Interested Persons and Corporate Disclosure Statement (CIP). See 11th Cir. R. 26-1(a)(1).
4. Complete the Web-Based CIP (attorneys only). See 11th Cir. R. 26.1-1(b).
5. File a Civil Appeal Statement (attorneys only). See 11th Cir. R. 33-1(a)(3).

Mediation

If a Civil Appeal Statement is required to be filed and the appeal is fully counseled on all sides, your appeal will be reviewed and considered for mediation. Mediation services are at no cost to the parties. If no Civil Appeal Statement is required or you or any party to the appeal is self-represented or *pro se* then the appeal is not eligible for mediation. See 11th Cir. R. 33-1.

Appellee Requirements

Unless the following requirements have already been satisfied, **within 28 days of the date of this notice, all appellees participating in this appeal MUST:**

1. File a CIP or a notice. See 11th Cir. R. 26.1-1(a)(3).
2. Complete the Web-Based CIP (attorneys only). See 11th Cir. R. 26.1-1(b).

Attorney Participation

All attorneys (except court-appointed attorneys) who wish to participate in this appeal must file an Appearance of Counsel Form within 14 days of the date of this notice. See 11th Cir. R. 46-6(b). Please also see FRAP 46 and the corresponding circuit rules.

Electronic Filing

All counsel must file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause. Although not required, non-incarcerated pro se parties are permitted to use the ECF system by registering for an account at www.pacer.gov. Information and training materials related to electronic filing are available on the Court's website.

Obligation to Notify Court of Change of Addresses

Each pro se party and attorney has a continuing obligation to notify this Court of any changes to the party's or attorney's addresses during the pendency of the case. See 11th Cir. R. 25-7.

Additional Information

Rules, forms, and additional information, including a handbook for pro se litigants, can be found at www.call.uscourts.gov.

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

CIVIL - Notice of Docketing

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DAVITA M. KEY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL CASE NO. 2:19-cv-767-ECM
)	
DYNAMIC SECURITY, INC.)	
)	
Defendants.)	

NOTICE OF APPEAL

Notice is hereby given that Dynamic Security, Inc., Defendant in the above named case, hereby appeals to the United States Court of Appeals for the Eleventh Circuit from: (a) the final Order and Judgment entered in this action on the March 30, 2023, (Doc. 186); (b) the Memorandum Opinion and Order entered by the Court on March 11, 2024, denying Defendant's Motion for Renewed Judgment as a Matter of Law as to Liability and Punitive Damages; to Vacate, Alter or Amend the Judgment; or Alternatively, for a New Trial or Remittitur of Emotional Distress and Punitive Damages. (Doc. 212); (c) Order entered by the Court on February 21, 2023, denying Defendant's Motion to Strike Plaintiff's Jury Demand (Doc. 147); (d) the Oral Orders entered March 28, 2023, and March 29, 2023, denying Defendant's Motion for Judgment as a Matter of Law [no Doc. number]; (e) Oral Order entered March 28, 2023, denying Defendant's First Motion in Limine to exclude Plaintiff's

Testimony About Gloria Robinson’s Alleged Comments about the Content of Memos Sent by “The Koreans” [no Doc. number]; (f) Oral Order entered March 28, 2023, denying Defendant’s proposed jury instructions (Doc. 161), in particular the “Catastrophe Management” instructions, the instruction that Plaintiff has to complain of race discrimination to amount to protected activity, and the instruction that the decision-maker must have knowledge of the protected activity [no Doc. number]; (g) denial of Defendant’s Jury Verdict Form (Doc. 181) as reflected in Jury Verdict Form submitted to jury on March 30, 2023 (Doc. 185); (h) Closing Jury Instructions to jury as entered by the Court on March 30, 2023 (Doc. 184); and (i) the Memorandum Opinion and Order entered by the Court on March 14, 2024, granting Plaintiff’s Motion for Equitable Relief of Reinstatement and Interest as to prejudgment interest (Doc. 213).

Respectfully submitted,

/s/ Wesley C. Redmond

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on 5th day of April, 2024, he electronically filed a true and correct copy of the foregoing with the Clerk of Court using the CM/ECF System which will send notification of such filing to:

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